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THE CITY OF NEW YORK
DEPARTMENT OF CORRECTION



OPERATIONS ORDER

<input checked="" type="checkbox"/> NEW		<input type="checkbox"/> REVISED		SUBJECT DETENTION AND PRODUCTION OF DEFENDANTS HELD ON SUPREME COURT ARREST AND BENCH WARRANTS
EFFECTIVE DATE 3/16/92	NUMBER 6/92	PAGE 1 OF 2 PAGES		
AUTHORIZED BY THE CHIEF OF DEPARTMENT				
JAMES T. GARVEY, JR., ACTING CHIEF OF DEPARTMENT				SIGNATURE

I. PURPOSE

To provide for the detention and court production of inmates arrested on Supreme Court arrest warrants and bench warrants.

II. POLICY

- A. As the result of amendments to the Criminal Procedure Law and the Correction Law, the Department, effective Monday, March 16, 1992 will accept custody of defendants arrested by a police officer on a Supreme Court arrest warrant or a Supreme Court bench warrant who can not be arraigned because the Supreme Court part is not available (after 1700 hours on weekdays and on weekends).
- B. The Department will detain these defendants and produce them in Supreme Court at 0930 hours on the next business day.

III. PROCEDURES

- A. When a police officer arrests a defendant on a Supreme Court Arrest Warrant or Supreme Court Bench Warrant the officer will continue to bring the defendant before the Supreme Court for arraignment.
- 1. When the police cannot bring the defendant to the Supreme Court for arraignment (after 1700 hours on weekdays and on weekends,) the police may deliver adult male defendants to the correctional facility in the county that issued the warrant. The police will provide the Department with a copy of the Supreme Court Arrest Warrant or Bench Warrant (see attached copy). Because the defendant has not been arraigned, there will be no securing order. Unless the adult male defendant requires special housing, he shall be held in the correctional facility in the county that issued the warrant.

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- 2. The police may deliver male adolescents to the Adolescent Reception and Detention Center.
- 3. The police may deliver females to the Rose M. Singer Center.
- B. The defendant shall be processed like any new direct admission inmate (including the assignment of a direct book and case number,) but must be returned to the Supreme Court part that issued the warrant with a copy of the warrant by 0930 hours on the next business day.
- C. The General Office of the receiving facility shall be responsible for having the defendant sent to the Supreme Court as a recall and sent to court on the first van leaving the facility.

IV. SPECIAL INSTRUCTIONS

- A. Commanding Officers of facilities and divisions shall ensure that the provisions of this Operations Order are strictly complied with. Any questions should be directed to the Legal Division.

V. ATTACHMENTS

- A. New York State Supreme Court Warrant